

February 18, 2025

Re: Item 10.1.1

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Public Hearing

PLANAPP-2024-01000

Land Use By-law Amendment

Halifax and West Community Council

Proposed Development



Applicant: Bernd Stolz

Location: 1110 and 1137 Wilderness Drive, Portuguese Cove

Proposal: amend Schedule E – Areas Subject to Reduced Road Frontage of the Chebucto Peninsula Land Use By-law to allow a single unit dwelling

Type of Application: Land Use By-law Amendment

Site Context

General Site location **in Red**



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Site Context



Subject Properties

in **Red**:

1110 Wilderness Drive

1137 Wilderness Drive

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Planning Policy Overview

Regional Plan &
Subdivision By-law

Community Plan

Land Use By-law
(Zoning)

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Planning Policy Overview

Regional Plan &
Subdivision By-law

Community Plan

Land Use By-law
(Zoning)

Guide where population growth and the investment of services like transit, piped water and sewer should occur.

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Planning Policy Overview

Regional Plan &
Subdivision By-law

Community Plan

Land Use By-law
(Zoning)

Outlines where, how, and which types of development may occur. Some uses may only be allowed after community consultation and Council approval.

Planning Policy Overview

Regional Plan &
Subdivision By-law

Community Plan

Land Use By-law
(Zoning)

Specifies what can be approved without going to Council and seeking feedback from the public.

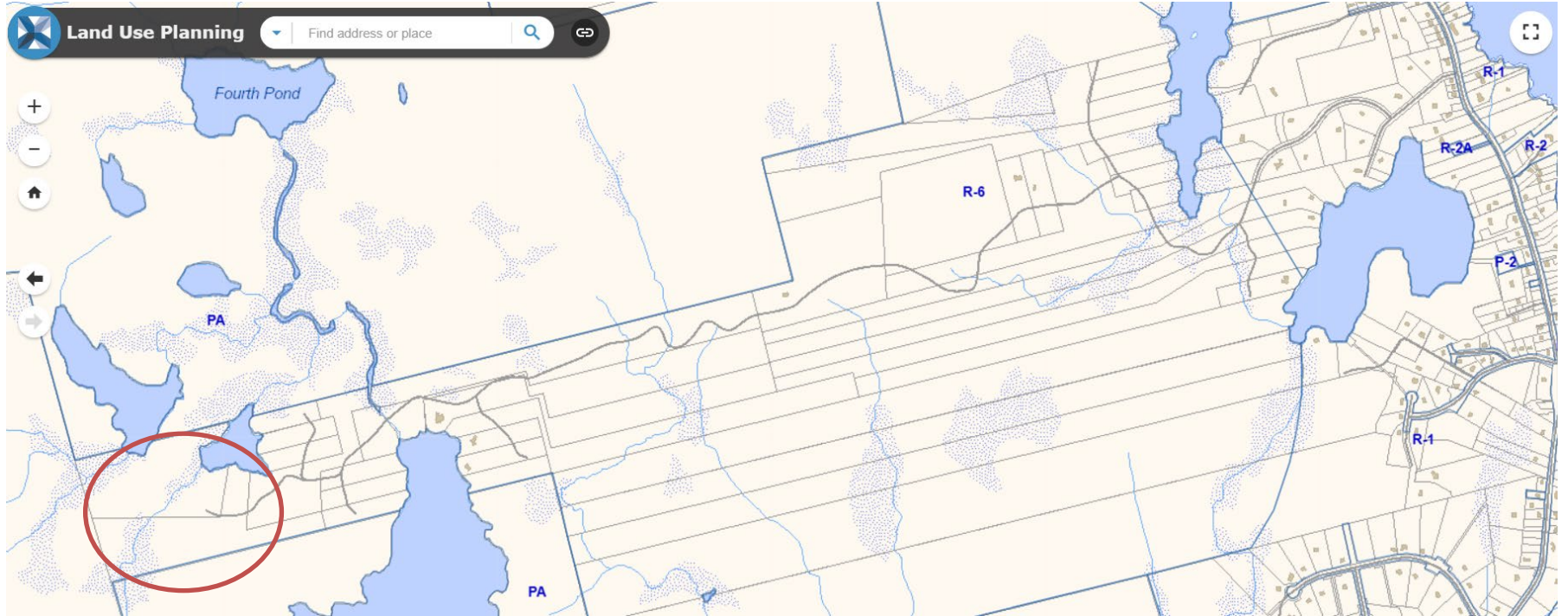
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Rural Residential Development

Regional Plan (since 2006)

- Rural single unit residential development:
 - New residential development permitted on existing public roads or approved private roads.
 - Development of 8 lots plus remainder on a new street.
 - Lot frontage exemptions in certain instances.
 - Conservation Design Development (development agreement).
 - No new private roads permitted.

Wilderness Drive, Portuguese Cove



Background: 10 Hectare Lots

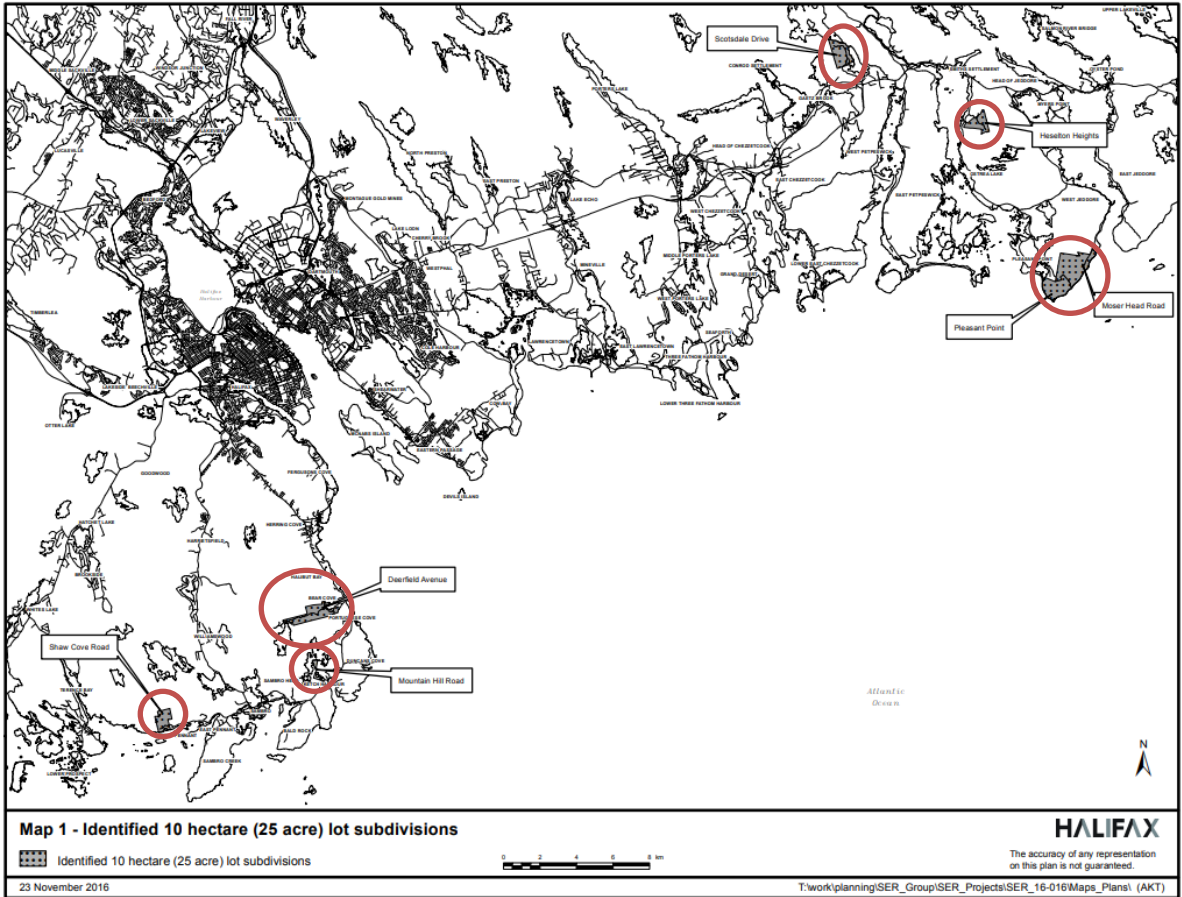
HRM Charter Section 278 (2)(a)

Subdivision approval is not required for a subdivision if all lots to be created, including the remainder lot, exceed ten hectares in area.

- 10 Hectare (25 acre) lots may be created without HRM knowledge or approval.
- Must meet Municipal requirements to obtain development permits.
- 2015/2016 – staff discovered 10-hectare lots being created outside the HRM approval process and there were instances of permits being issued in error.

2016 Amendments

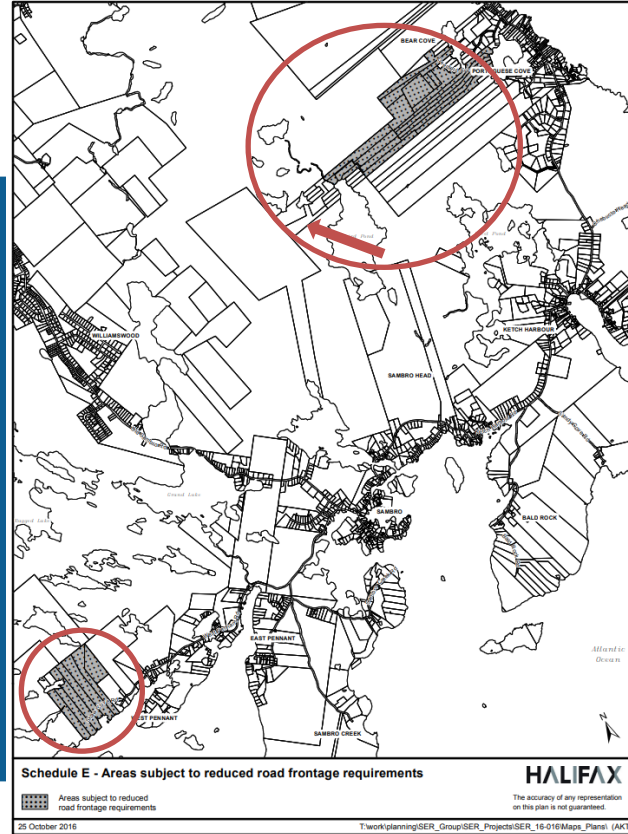
Regional Plan (S-28A & B)
Created an exemption for 6 areas created as residential subdivisions through the 10-hectare lot provision of *HRM Charter*.



2016 Amendments

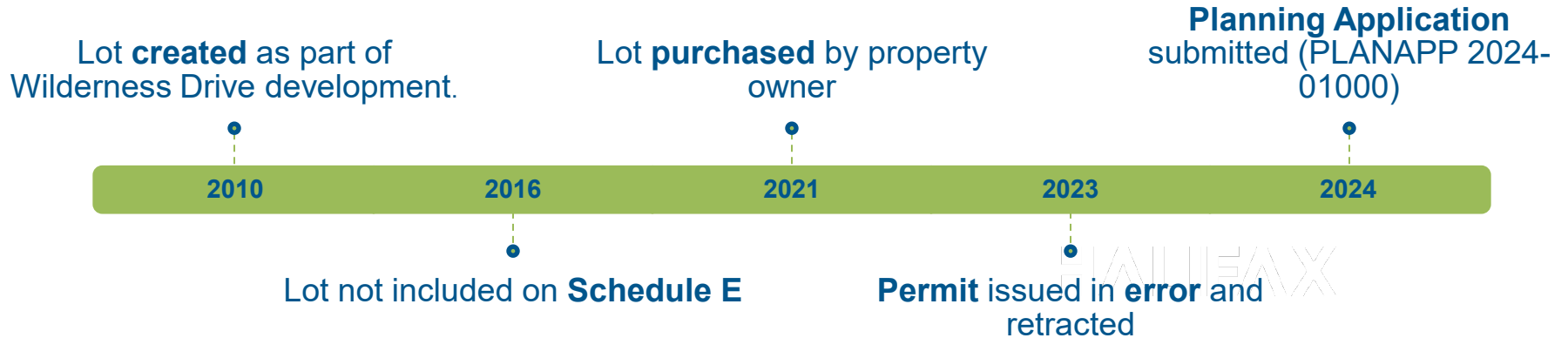
Chebucto Peninsula Land Use By-law Schedule E: Areas Subject to Reduced Road Frontage

- For lots that do not meet lot frontage requirements, lots that existed on April 1, 2016 and located on Schedule E – development permit may be issued.



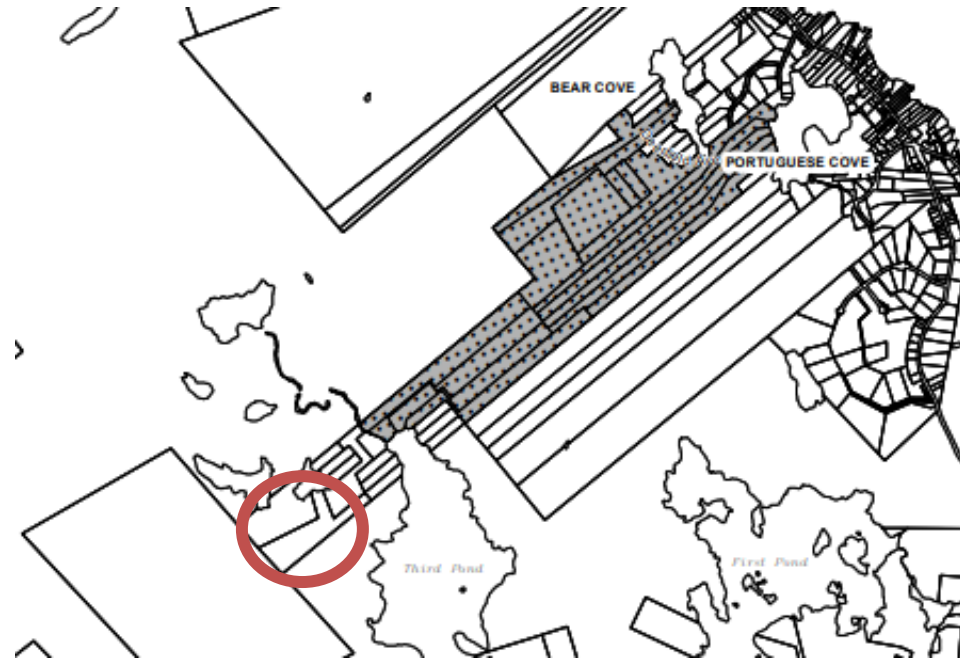
1110 Wilderness Drive

Request by property owner to add 1110 Wilderness Drive to Schedule E:
Areas Subject to Reduced Road Frontage Requirements.

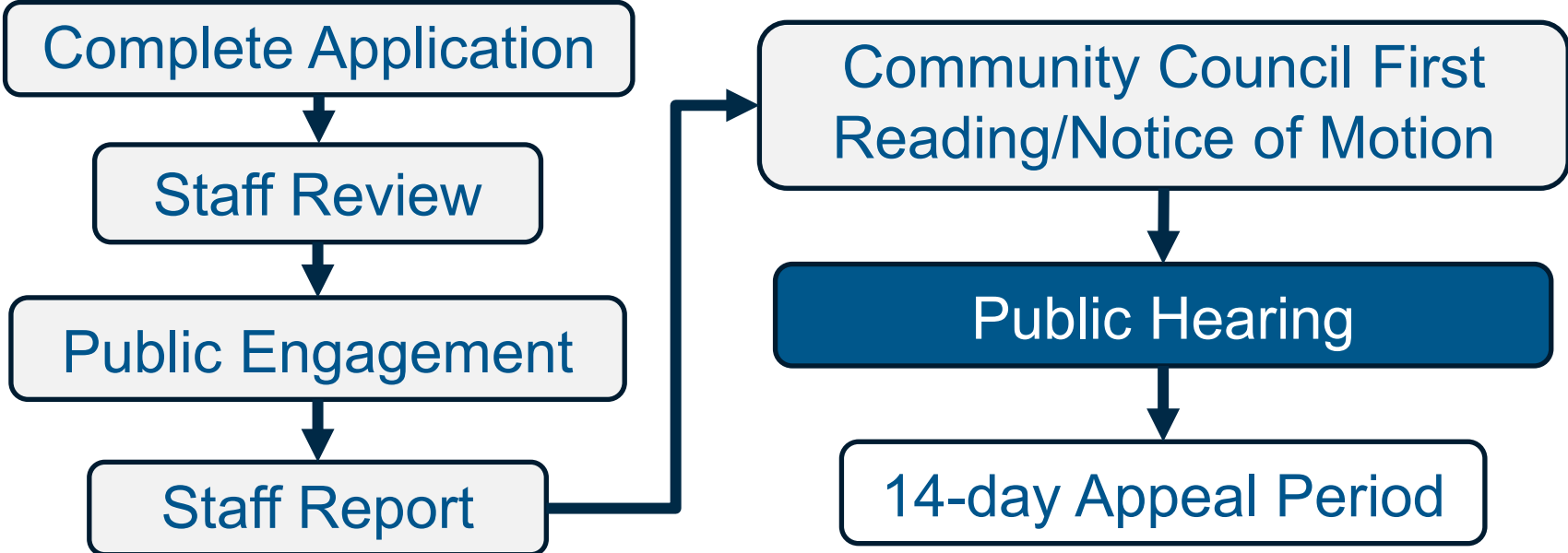


1137 Wilderness Drive

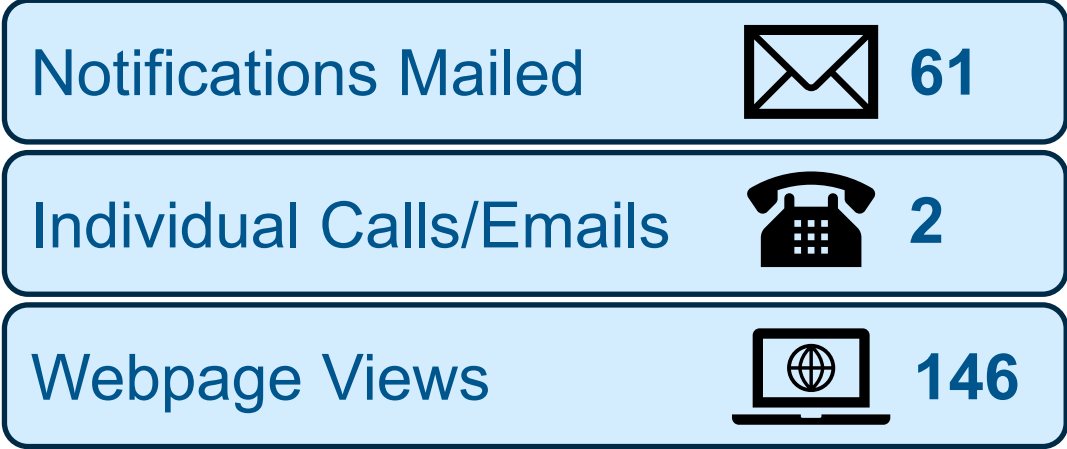
- Following an extensive review, similar circumstances were discovered for 1137 Wilderness Drive
- Recommended by staff to be included in this amendment consideration.



Land Use By-law Amendment



Public Engagement Feedback



Level of engagement completed was consultation achieved through a mail out notification and feedback included questions of clarification and support for the application.

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Proposal Details

- Add 1110 Wilderness Drive and 1137 Wilderness Drive to Schedule E: Areas Subject to Reduced Road Frontage Requirements of the Land Use By-law



Planning Rationale

- **Limited Scope:** site specific, only 2 lots and limited implications to residential development region wide.
- **Completion of Wilderness Drive:** allows all lots along Wilderness Drive to be considered under Schedule E, allowing single unit dwelling development (zoned R-6 Rural Residential). Oversight in 2016 Amendments.
- **Permit Error:** a permit had been issued and retracted which leads to merit in considering this inclusion.
- **2017 Directive of Council:** staff approach issues related to rural 10-hectare lot development on a case-by-case basis and develop practical and reasonable solutions where possible.

Staff Recommendation

The staff recommendation contained in the staff report was arrived at after a detailed analysis of all relevant policies in the Regional and local Municipal Planning Strategies.

Recommend amendments to Schedule E - Areas Subject to Reduced Road Frontage Requirements of the Planning District 5 (Chebucto Peninsula) Land Use By-law set out in Attachment A.

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Thank You

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